



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1661
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Application number: 09/901,870
Filing date: July 31, 2003
First Named Inventor: Harold P. Olmo
Group Art Unit: 1661
Examiner Name: Anne Marie Grunberg
Title of the invention: Grapevine plant named '9-9-12'.

AMENDMENT

Honorable Commissioner of Patents
And Trademarks
Washington, DC 20231

Sir:

In response to the office action of March 7, 2003, please amend the above-identified application as follows:

Please delete the original claim, specification, and abstract and replace them with the substitute claim, specification, and abstract as shown in the attached pages. Marked up copies of the original text of the specification are attached to this amendment. Material inserted is indicated by underlining and deleted material is indicated by strike-out (strike-out).

The examiner has objected to the drawings. I respectfully request that the examiner label the drawings appropriately as suggested in the Office Action Summary.

The examiner has requested more data which generally have been provided. Data on flower scent and color of stigmas and styles were not included. I have not found flower scent to be a distinguishing trait in my 65 years of grape breeding and have not included it on any of my previous patents. Stigmas of grapevines are extremely small (less than 1 millimeter wide) and styles are so shortened as to be beyond measure. Likewise, I have not included measurements of these traits. I have endeavored to include all other requested data. I hope these added data will prove sufficient to constitute a complete application.

The examiner has suggested that the invention be renamed. If not legally required to, I request that the invention maintain its present name due to consideration of cataloging of plant numbers in my extensive plant collection. A change of name at this time would cause confusion among my test cooperators. Withdrawal of the objection is requested. In view of the above amendments and remarks, it is submitted that the claim satisfies the provisions of 35 U.S.C. paragraph 112 and is not obvious over the prior art. Reconsideration of this application and early notice of allowance is requested.

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Respectfully yours,
Harold P. Olmo

Harold P. Olmo



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on July 31, 2003 with the United States Post Office in an envelope addressed to: Commissioner of Patents and Trademarks, United States Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

Harold P. Olmo

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